

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MICHAEL LEE WALKER)	
)	
Petitioner,)	
)	
-vs-)	Case No. CIV-09-1398-F
)	
BRUCE HOWARD,)	
)	
Respondent.)	

ORDER

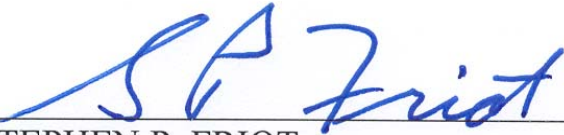
On April 22, 2010, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation, wherein he recommended that petitioner, Michael Lee Walker's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed as untimely. In the Report and Recommendation, Magistrate Judge Argo specifically advised the parties of their right to file an objection to the Report and Recommendation by May 12, 2010 and further advised the parties that failure to make timely objection waives their right to appellate review of both factual and legal questions therein contained.

To date, no objection to the Report and Recommendation has been filed by either party. Moreover, no request for an extension of time to file an objection has been filed. With no objection being timely filed, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Doyle W. Argo on April 22, 2010 (doc. no. 15) is **ACCEPTED**, **ADOPTED** and **AFFIRMED**. Petitioner, Michael Lee Walker's Petition Under 28

U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody is **DISMISSED** as untimely. Judgment shall issue forthwith.

DATED May 27, 2010.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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